IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE Mr. JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE Mr. JUSTICE C.V.RAMULU

WRIT PETITION No. 25027 of 1997

Between:

M/s. Munshi Bhai Beedi Works Pune,

represented by its Partner Mr. Khalid Saifullah Khan,
S/o. Mr. Abdul Hafeez Khan, 10-3-68/1,
Humayan Nagar, Hyderabad, A.P.,

..... PETITIONER

AND

1. M/s. Andhra Pradesh Forest Development Corporation Ltd., represented by its Vice Chairman and Managing Director,
UNI Building III Floor, A.C.Guards,
Hyderabad.
2. The Commissioner of Commercial Taxes, Andhra Pradesh,
Hyderabad, Commercial Taxes Complex,
Opp: Gandhi Bhavan, Nampally, Hyderabad, A.P.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ of Mandamus or any other appropriate writ or order or direction declaring that Levy and collection of sales tax at the rate of 9% on the sales of beedi leaves in the presence of 'G' Forms are arbitrary and illegal and to direct the 1st Respondent to accept the statutory 'G' Forms under Section 5B of the APGST Act read with Rule30 A of the APGST Rules on the sale value of beedi leaves and to refund the excess collection of tax to the petitioner or to pass such order or orders as deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: Mr. ABDUL MUQUETH QURESHI

Counsel for Respondent No.1: MR.SRIRAM KRISHNA MURTHY

STANDING COUNSEL.

Counsel for Respondent No.2:-------

The Court made the following :

ORAL ORDER:

(per Honourable Sri Justice B.Sudershan Reddy)

The subject matter that arises for consideration in this Writ Petition is squarely covered by the judgment rendered by a Division Bench of this Court dated: 31.12.1997 in Writ Petition No. 23400 of 1997 and batch. Following the said judgment, this writ petition is also disposed of in terms of the said judgment. There shall be no order as costs.

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B.SUDERSHAN REDDY, J.

26.4.2005

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C.V.RAMULU, J.

VR.

To

1. The Vice-Chairman and Along with a copy

Managing Director, M/s. Andhra Pradesh of order dated:

Forest Development Corporation Ltd., 31.12.1997 made
UNI Building III Floor, A.C.Guards, in W.P.No.23400 of
Hyderabad. 1997 and batch.
2. The Commissioner of

Commercial Taxes, Andhra Pradesh,
Hyderabad, Commercial Taxes Complex,
Opp: Gandhi Bhavan, Nampally,

Hyderabad, A.P.

3. Two CCs to Government Pleader

for Commercial Taxes, High Court

Buildings, Hyderabad (OUT).

4) 2 CD copies

5) 1 CC to MR.QURESHI, Advocate,

on payment of usual charges.

*Form-NIC-OGS/WP{**KRD**}*